

Thank you for the opportunity to comment on Ecology's draft Industrial Stormwater Permit. Citizens for a Healthy Bay's comments to this permit are below.

General Comments

1. Given Ecology's stated resource limitations and your comments in the May 6 public meeting that permit information would be placed on the web for public review as "...with this many permittees Ecology's not going to look up the records [to confirm proper sampling has been conducted by permittees]...", and that Ecology "...will not be able to review many if any applications for "No Exposure" certificates...", we request that the following information be included in the public review section to facilitate public review:

- latitude and longitude of permittee discharge outfall(s)
- picture or description (including diameter, material) of discharge pipe(s)
- water body to which the discharge goes
- sampling timing and results
- capability to search dischargers by county and alphabetically

2. As stated in Ecology's *Permit Writers Manual*, "Discharge to navigable waters is not a right." This language should be added to all Ecology permits, including the Industrial SW permit. Also added to every permit should be the "zero discharge" goal in the Clean Water Act as referenced in Ecology's *Permit Writers Manual*.

Specific Permit Comments

1. S.2.D Public Notice Requirements: Newspaper circulation is not sufficient public notice. Ecology must provide timely public notice to a list of interested parties as required by 40 C.F.R. § 124.10(c)(1)(ix), the federal regulations that require notice of permitting activity be provided to a list of interested persons.

2. CHB wholeheartedly agrees with section S.2.F, that permittees must comply with local government requirements.

3. S.C.3 Compliance Schedule: As written there is no true schedule for compliance; i.e., dischargers have 5 years to attempt to meet requirements and then are off the hook as they are required to only submit a report at that time. This is illegal per 33 U.S.C. § 1342(p)(4)(A). This section should be changed to comply with 33 U.S.C. § 1342(p)(4)(A).

4. Ecology's administration of requests for standard mixing zones in this permit will not satisfy the requirements of WAC 173-201A-100. Mixing zones, like discharge of pollutants to navigable waters, is not stated by Ecology (in the *Permit Writers Manual* and in the WAC) to be a right but a strictly regulated temporary privilege. This should be reflected in the Industrial SW permit.